

Chairman's Personal Views
Delivered in conjunction with his briefing to the Security Council
on 16 May 2011 pursuant to paragraph 46 of
Security Council resolution 1904 (2009)

Change and Challenges – Chairman's view

[1] Mr. President, the 1267 regime was established in 1999, more than eleven years ago, in response to attacks planned by Usama bin Laden and perpetrated by Al-Qaida. As times change the threats posed by international terrorism evolve. Mr. President, please allow me to share some brief comments on current changes and future challenges, **in my personal capacity but informed by my experience as Chairman of the Committee.**

[2] Firstly, the death of Usama bin Laden constitutes clearly a “caesura”, a turning point. However, it is neither the end of Al-Qaida nor the end of terrorism. The Committee will duly assess the implications which recent events may have on the nature of the threat posed by Al-Qaida and the Taliban, and on the future work of the Committee. The Monitoring Team will have to monitor closely current and future developments in this regard. It is clear, however, that the rigorous implementation of the sanctions measures remains essential, since various groups associated with Al-Qaida remain active around the world, constituting a continued threat to international peace and security. At the same time, the Committee, supported by the Monitoring Team, should consider how it can best play its part in further marginalising Al-Qaida and how it can ensure that the 1267 list continues to fully and adequately reflect the evolving threat posed by Al-Qaida and its affiliated networks.

[3] Secondly, regarding Afghanistan, the Committee has discussed possible implications that political dialogue in Afghanistan may have on the work of the Committee and the future design of the regime. The Monitoring Team in its recommendations paper has provided several options for developing the 1267 regime further according to the perceived needs of political dialogue in Afghanistan. It is the view of the Chairman that the Committee and the 1267 regime as a whole must be prepared to play a facilitating and supporting role in a political dialogue and must not become a stumbling block towards peace and security in the region. The Committee has been proactive in seeking and taking into account the views of the Afghan government in the process of listing and de-listing Afghan Taliban. The Committee will consider a draft check list of necessary supporting documentation for de-listing requests. *On the request of the Committee the Monitoring Team submitted a first draft check list.* However, taking into account the dynamics of political processes, it is the view of the Chairman that the design of the regime may have to be further developed. As

Chairman I recommend that the Council should carefully review and calibrate the criteria for listing and de-listing of Afghan Taliban, reflecting in particular the internationally agreed criteria in the reconciliation process. And the Council may wish to consider options for granting an even more visible role to the Afghan government in this process with a view to the transition process and the principle of Afghan ownership.

[4] Finally, Mr. President, as Chairman I am pleased to note that the need of continued reforms as regards fair and clear procedures remains high on the agenda of the members of the Committee. At the same time I also have to note that although many of the substantial reforms in resolution 1904 (2009) are currently being implemented, they still represent a work in progress and the effects of this comprehensive reform agenda cannot be evaluated as yet. This applies first and foremost to the most ambitious reform step of resolution 1904 (2009): the establishment of the Office of the Ombudsperson. I have noticed that all members of the Committee are committed to making this a meaningful and credible process. This, however, does not exclude well-founded disagreement on particular cases. As Chair, I am confident that the Ombudsperson process already in its current form will deliver tangible improvements as regards fair and clear procedures, in particular the right to be heard. In compliance with the provisions of resolution 1904 (2009), the Ombudsperson's findings are based on a thorough and conclusive examination of each delisting request. Already at this stage it is clear that the political will of all Council members to promote fair and clear procedures has added weight and rigor to the Ombudsperson process. The observations, even though formally not of binding nature, are seriously considered and taken into account before deciding any delisting request presented through the Office of the Ombudsperson. At the same time, Mr. President, as Chair of the Committee I am committed to continue to assist in trying to build consensus for further enhancing fair and clear procedures as well as the role of the Ombudsperson.